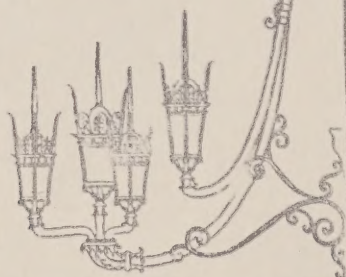



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01/20**CITIZENS ADVISORY COMMITTEE****REGARDING COLUMBUS CENTER (TURNPIKE AIR RIGHTS PARCELS 16 & 17)****Chair: Christine Colley**

TO: Souend.org, and South End Library and Boston Public Library

FROM: Randi Lathrop, BRA 617-918-4302

DATE: July 24, 2001

RE: Public Comments for Columbus Center, Air Rights Parcel 16 & 17

Enclosed you will find public comments for Air Rights Parcel 16 & 17 called Columbus Center. Please file these with the OLD PNF information.

Thank you.

RECEIVED**AUG 5 2002****BOSTON PUBLIC LIBRARY
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To the South End News – July 10, 2001

Many of the residents of Bay Village I have spoken with are encouraged by Winn/Cassin's most recent proposal to incorporate parcel 18 into their design concept, as envisioned by the Civic Vision. And although they have not been granted the development rights to 18, the design they presented us should warrant all of our encouragement toward that outcome. Parcel 18, that large gap facing Cortes Street, was always going to be difficult to cover. The Civic Vision realized that and provided the possibility of linking parcels 16 and 18 by adding height on 16.

The Winn/Cassin proposal incorporates a parking structure on 18 hidden behind new housing. By moving a major portion of the parking from parcels 16 & 17 onto parcel 18 it benefits residents of the South End by lowering building heights and provides inspired sight lines. And the greatest benefit to every resident of this city is a new park in our neighborhoods. The incorporation of a park on parcels 17 and 18 provides a necessary link between Bay Village and the South End, and I hope to see that continued into parcels 20 through 23 as they get developed.

I believe it is imperative that parcel 18 be developed along with parcels 16 and 17. Without developing them together the parking goes back onto 16 and 17, and the park will not get developed. And then we will face what gets developed on parcel 18, which will be much bigger than has been proposed. Please look at the positive impacts this development will have on both of our communities by grouping these parcels together.

Thank you,
Mike Maddigan, President, Bay Village Neighborhood Association

COMMENTS -- COLUMBUS CENTER PROJECT

John W. Stack
40 Isabella Street – Bay Village

May 17, 2001

PARCEL 16

Usage:

- As designated by the developer.

Design:

- Because development on this parcel will largely affect my neighbors in the Pope Building, I defer to them on the design of this parcel.

Concern:

- The *Civic Vision* clearly speaks to a linkage between Parcel 16 and either 17 or 18 and it is hoped that if some linkage occurs, consideration will be given to the development of green space on Parcel 18.

PARCEL 17

Usage:

- Condominiums with commercial at street level.

Design:

- Building height at the corner of Columbus and Berkeley should not exceed that of the Pledge of Allegiance Building.
- Building mass should then step back at least ten to twenty feet and from that point increase in height.
- The massing of the building on the Berkeley Street side should step down towards the South End to be compatible with the heights of the buildings at that end of the parcel.

- Exterior design materials should be compatible with the surrounding buildings, providing a sense of transition to the South End.
- Wide sidewalks around the parcel, with green space, lights, etc..
- Access to the T should be provided at this site or the present access located on Parcel 18 should be upgraded to reflect the quality of the project.
- Vehicular entrance for residents, visitors, and, in particular, service vehicles should be enclosed to lessen the impact of noise on the nearby residents.
- Venting systems for emissions generated by traffic on the turnpike and the MBTA trains should be built into the design of this parcel. Avoid replicating the brick, monolithic-type venting chimney at the Back Bay Station.

Concerns:

- Loss of sunlight: The massing of the building on Berkeley Street will be on a north-south axis. As the sun sets in the west what will be the loss of sunlight to those of us living in Bay Village to the east of this project?
- Shadows: Because of the north-south massing of the building on Berkeley Street, what shadow affects can the residents to the east of the project expect as the sun travels in a westerly direction?
- Ambient Noise: All noise generated by both turnpike vehicular traffic and MBTA trains passing under or near parcels 16, 17 and 18 is presently dispersed over a fairly large, unobstructed area. What will be the result when structures are placed on Parcels 17 and 16? Will the noise reverberate off these structures into the surrounding neighborhoods?

PARCEL 18

Some Design Alternatives:

- Green space presently exists along the southerly side of Cortes Street. This green space slopes to the edge of the turnpike, terminating at a retaining wall that is approximately three feet tall. By raising this retaining wall to the height of Cortes Street, backfilling it, and then planting it the neighborhood gets a nice public park.
- There is also the possibility of finishing off the southern side of Cortes Street by building residential townhouses, anchored by green space at each end and perhaps with green space behind the residences.
- This parcel would also lend itself to a Union Park type of residential development.

- There is a well-used entrance to the Back Bay Train Station on this parcel. Upgrading this entrance to reflect the quality of the new projects would be very beneficial to the neighborhoods.

Concerns:

- Ambient Noise: If no sound buffers are built or no development takes place on this parcel, what happens to the noise generated within this parcel by the turnpike traffic and the MBTA trains? As the noise strikes the east facing façade of the building on Parcel 17 will it bounce back to Bay Village? If Parcel 16 and 17 are completely decked over, does this then result in Parcel 18 becoming a megaphone for the amplification of the train and traffic noise under these parcels?

LIT 1268857v1

June 21, 2001

→ Lathrop

Mark Maloney
Boston Redevelopment Authority
One City Hall Square
9th Floor
Boston, MA 02201

PRINCIPALS

Theodore A. Barten, P.E.

Margaret B. Briggs

Michael E. Guski, CCM

Samuel G. Mygatt, L.L.B.

Dale T. Raczynski, P.E.

Cindy Schlessinger

Lester B. Smith, Jr.

Subject: Project Notification Form for Columbus Center

Dear Mr. Maloney:

On behalf of Columbus Center Associates, I would like formally withdraw the Project Notification Form (PNF) for the Columbus Center project.

As you know, since the submission of the PNF in March the proponent has been involved in numerous meetings with the Citizens Advisory Committee (CAC), the affected neighborhoods, the BRA, and the CAC consultants, in an effort to reach agreement on a mutually acceptable and economically viable project for Parcels 16 and 17. As a result of these meetings, the proponent has agreed to take a fresh look at the project.

The proponent will continue to work with the CAC and the community through the summer months and aims to submit a new PNF for the revised project in September.

We look forward to working together with the BRA through the completion of this project.

Very truly yours,
EPSILON ASSOCIATES, INC.



Willard Donham
Senior Planner

cc: Randi Lathrop, BRA
Roger Cassin, Columbus Center Associates
Matthew J. Kiefer, Goulston & Storrs

RECEIVED JUN 27 2001

→ R. Lathrop

June 26, 2001

Subject: Environmental Notification Form/Project Notification Form
Columbus Center

PRINCIPALS

Theodore A. Barten, P.E.

Margaret B. Briggs

Michael E. Guski, CCM

Samuel G. Mygatt, L.L.B.

Dale T. Raczynski, P.E.

Cindy Schlessinger

Lester B. Smith, Jr.

To Whom it May Concern:

On behalf of Columbus Center Associates, I would like let you know that the Environmental Notification Form (ENF) and Project Notification Form (PNF) for the Columbus Center project have been formally withdrawn.

Since the submission of the PNF and ENF in March, the proponent has been involved in numerous meetings with the Citizens Advisory Committee (CAC), the affected neighborhoods, the Boston Redevelopment Authority, and the CAC consultants, in an effort to reach agreement on a mutually acceptable and economically viable project for Parcels 16 and 17. As a result of these meetings, the proponent has agreed to take a fresh look at the project.

The proponent will continue to work with the CAC and the community through the summer months and aims to submit a new PNF and ENF for the revised project in September.

If you have any questions, please do not hesitate to call.

Sincerely,

EPSILON ASSOCIATES, INC.



Will Donham
Senior Planner

cc: Randi Lathrop, BRA
William Gage, MEPA Office
Roger Cassin, Columbus Center Associates
Matthew J. Kiefer, Goulston & Storrs

Randi Lathrop

From: AKilguss@aol.com
Sent: Thursday, June 14, 2001 4:54 PM
To: randi.lathrop.bra@ci.boston.ma.us
Subject: Parcels 16,17,18

I am writhing to support the proposal for the development of townhouses on parcel 18. I have been a home owner in Bay Village for 22 years and believe this plan is consistent with the civic vision. I hope this plan will be implemented. Sincerely, Anne Kilguss, 33 Fayette St., Boston.

Randi Lathrop

From: paul s [p_w_smith@hotmail.com]
Sent: Monday, April 16, 2001 2:26 PM
To: Randi.Lathrop.BRA@ci.boston.ma.us
Subject: columbus center

From the renditions of this development I think this would be a wonderful addition to the southend. Who wants to see an ugly and noisy highway.
P. Smith

Randi Lathrop

From: John LaFleur [jlaflaur@heritagegrouppllc.com]
Sent: Monday, April 16, 2001 2:16 PM
To: 'Randi.Lathrop.BRA@ci.boston.ma.us'
Cc: 'mayor@ci.boston.ma.us'; 'James.Kelly@ci.boston.ma.us';
'Rep.PaulDemakis@hou.state.ma.us'; 'Rep.SalvatoreDiMas@hou.state.ma.us';
'Dwilkers@senate.state.ma.us'
Subject: Columbus Avenue Towers

Dear Randi,

As a long time resident of 9 Appleton Street (on the corner of Berkley and Appleton), a renter since November of 1987 to be exact and owner since August of 1997, I wholeheartedly support the objections to the developments being proposed by the Winn / Cassin Development team.

While I was dismayed at the Civic Vision, which I see as a farce from my perspective as having any real benefit to the South End, as the South End News articles pointed out, something was going on the lots and the Vision seemed to be a reasonable compromise.

Going above the 15 story limit is not in keeping with development in the South End. The architects and developers are pointing to the commercial part of Back Bay for reference of what we should expect.....it is "in keeping with the neighborhood".....that is blatantly untrue.

Clearly this development sits in the heart of a residential neighborhood. It is clearly the duty of the BRA to oversee some intervention and to force compliance with the Civic Vision which South End residents (who are paying \$400 plus per foot for their homes) see as a contract with the neighborhood.

I would hope that upcoming news reports reflect that intervention and cover the issues of traffic on Berkley Street, water pressure for area residents (already a significant problem), the water table in general with respect to it sinking and creating the same problems that Beacon Hill and Back Bay became famous for with rotten pilings.....etc.

What steps are being taken to protect existing residents from developers that are clearly trying to renegotiate for more profit by adding more floors?

If the project is too expensive due to the decking.....don't let it be done....if it is going to be done, using the Civic Vision as the model....the worst it could be..... please don't ruin the South End neighborhood in the process and by all means.....protect our infrastructure.

I look forward to hearing about more responsible measures being taken by the City to protect existing South End residents from being overrun with development....we don't want it....we never did.....and we certainly don't want it as it is being proposed.

Sincerely

John LaFleur
9 Appleton Street #400
Boston, MA 02116

Randi Lathrop

From: Stephen J. Mills [sjm@xensei.com]
Sent: Sunday, April 22, 2001 4:36 PM
To: randi.lathrop.bra@ci.boston.ma.us
Cc: mayor@ci.boston.ma.us; james.kelly@ci.boston.ma.us
Subject: Twin Towers Threat

Dear Ms. Lathrop,

As South End residents and City of Boston taxpayers we want to register our outrage at attempts by the juggernaut MTA to circumvent public opinion and public policy by rolling through its unreasonable skyscraper plans for Parcel 16 and 17, in direct conflict with with our city's master plan. We're further alarmed by a report in last week's "South End News" that an MOU signed between the MTA and City of Boston gives the MTA the upper hand on air rights.

While we don't expect the MTA to take account of the public good in the lucrative execution of its air rights we're entitled to expect nothing less from the City of Boston. Please defend our neighborhood's quality of life and reject the MTA's proposal.

Sincerely,

Stephen, Janet and Olivia Mills (aged 2 yrs 6 mths)
21 Lawrence Street

April 19, 2001

Ms. Randi Lathrop
Economic Development Department
Boston Redevelopment Authority
Boston City Hall, Ninth Floor
Boston, MA 02201

Randi,


I'm sending you this letter in order to air a few of my concerns regarding the proposed developments on Parcels 16 & 17 over the Massachusetts Turnpike. Your help in seeing that this document becomes part of the public record is appreciated.

First I would like to state that I appreciate the leadership that you and the Boston Redevelopment Authority have shown in seeing that the public comment period for discussions related to these parcels have been extended. I look forward to the continued leadership and community commitment from the BRA and the Mayor that I'm sure will be required in order to end up with a project that is good for the citizens of the surrounding neighborhoods, Boston and the Commonwealth.

My major overriding concern is the blatant disregard the developer has displayed related to the scale of acceptable development that has been so clearly detailed in the Civic Vision. Secondly, as alluded to in the Civic Vision, I would support the inclusions of some appropriately designed, scaled and funded open space with the project. Since it has been made clear that the Parcel 18 is excluded from the current discussions, Parcel 17 would be the logical choice for this project component. Perhaps space could be made available by decking over all of Parcel 17, included the existing rail tracks. Finally, I would like to suggest exploring a different use for the space currently identified for a health club on Parcel 16. There are a number of such facilities within a very few blocks of the proposed development and I do not see the addition of another one as serving the community. I'm sure that with an opportunity for input from the community that a better commercial alternative could be identified that would help to enliven the streetscape of Columbus Avenue and enhance the life of the City.

It is critical that this project be undertaken in a way that is clearly beneficial to the neighborhoods and the City and not just to the development team. We are granted only a short term as stewards for this great urban gem but our decisions will be visible well beyond our lifetimes. Let us build wisely.

Sincerely,


Gerry Vann
621 Tremont St., Unit 5
Boston, MA 02118

78 W. Concord St, #8
Boston MA 02118

April 18, 2001

Ms. Randi Lathrop
Assistant Director
Community Planning
1 City Hall Square, 9th Floor
Boston MA 02201

Re: Opposition to Columbus Center (Project EOE 12459)

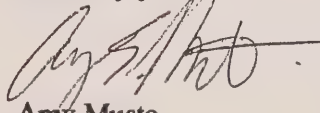
Dear Ms. Lathrop,

Columbus Center does not belong in the South End. This is a residential neighborhood, a protected historic neighborhood, and therefore no place for the high-rise buildings proposed by Cassin/Winn for Columbus Ave. I also see no place for the proposals of the Civic Vision. No building taller than 8 stories is appropriate for this part of town - a quick look up and down Columbus will confirm this.

The South End is a very charming place to live, full of beautiful brownstones: a real neighborhood, a great place to call home. If high-rise buildings are allowed to be built here the South End will start to lose its spirit. The construction at the Pru is turning that part of town into Boston's second commercial district. This is a shame and it shows how crucial it is that this not happen in the South End.

And so if Columbus Center is seen as a way of "helping" the South End, we have a serious misconception on our hands which must be corrected. We do not want this type of "help". If the city wants to really help there are plenty of buildings in the area that need to be fixed up, also a great demand for affordable housing. People would rather live in a real neighborhood like this than in a high-rise, no matter how beautiful. Projects like Columbus Center threaten to compromise the integrity of the South End.

Sincerely yours,



Amy Musto

231 Harrison Ave, #22
Boston Ma 02111

Ms. Randi Lathrop
Assistant Director
Community Planning
1 City Hall Square, 9th Floor
Boston Ma 02201

April 17, 2001

Re: Opposition to Project EOE 12459 (Columbus Center)

Dear Ms. Lathrop,

I have worked in the South End for 8 years. It's a nice place to walk around and check out the architecture. The two high-rise towers planned for Columbus Center are a bad idea. They don't fit in; they are too tall. The South End has a human scale and I hope we can keep it that way, not only now, but for many years to come. I don't want to break my neck craning to admire the roof-line of any new buildings.

Another thing I don't like is that all the new buildings seem to be luxury developments. I can't find an apartment I can afford in this area. It never used to be like this, there was always a deal somewhere. Not any more. Boston is becoming an extremely expensive town and I don't like this trend. Of course, it doesn't have to be this way. If the accent were more on affordable housing it would be a different story in a few years. People that have been forced out could move back in. Why should city living be only for the rich?

To sum up: ALL the heights suggested for Columbus Center are too high. I do not support the developers' vision - 38 and 33 stories. And I do not support the Civic Vision - 15 stories. Neither proposal is suitable for the South End. The traffic situation is bad and getting worse daily. We don't need more cars passing by, nor do we need buildings like this in the area.

To tell the truth, I like things just fine the way they are. Not every stone needs to be shiny.

Yours truly,

A handwritten signature in black ink, appearing to read "Ben Gorman", with a stylized, flowing script.

Ben Gorman

DUNWELL

April 14, 2001

Ms. Randi Lathrop
Boston Redevelopment Authority
City Hall
Boston MA

re: Parcel 16/17 aka Columbus Center

Dear Ms. Lathrop;

As residents of Bay Village and citizens of Boston we strongly and vehemently oppose the Columbus Center proposal for Parcels 16 & 17 by Cassin/Winn developers.

We believe the **"Civic Vision"** for air rights development must be the standard by which any new project is measured. Mayor Menino has praised this award-winning document. We endorse its proposals for this district. Columbus Center is an egregious insult to the **"Civic Vision."** The project ignores the height and density guidelines completely. Both towers are way over the size indicated in the **"Civic Vision."** Columbus Center is simply too big. Way too big.

The **"Civic Vision"** proposes a linkage between additional height on Parcel 16 and park development on Parcel 18. Columbus Center ignores this concept completely, doubling the height on the former with no mention of the latter. We want the park.

This 1.3 million square foot project will bring intolerable traffic congestion. Traffic already chokes our streets. Vehicles creep up Berkeley Street and crawl east on Columbus Avenue. Herald Street barely moves for most of the day. Where will the 2000 new car trips per day go? What about the proposed turnpike off-ramp? More traffic is trouble. Parking stress will also increase. Demand for parking in our neighborhoods already exceeds capacity.

This project will undermine the quality of life in our district. Public transit is near-capacity already. Excess development pollutes the air and creates more noise. Columbus Center threatens the livability of our residential neighborhoods and undermines those very qualities which attract people to Boston.

Columbus Center is the first test of the **"Civic Vision"** air-rights process. We want this done right. We want this proposal rejected.

Sincerely,



Steve Dunwell & Angela Atwell

www.stevedunwell.com

28 Brentwood St, #3
Allston MA 02134

Ms. Randi Lathrop
Assistant Director
Community Planning
1 City Hall Square, 9th Floor
Boston MA 02201

April 17, 2001

Re: Opposition to Columbus Center - Project EOEa 12459

Dear Ms. Lathrop,

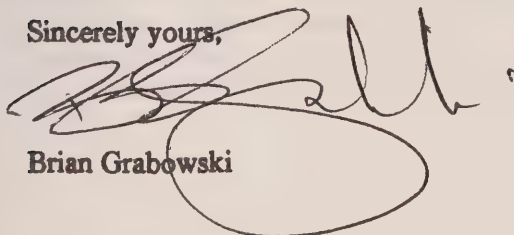
It seems not everyone knows that Boston is not New York because people keep trying to change Boston into New York. It's not going to work. (I come from New York and I should know.) Boston is Boston and New York is New York. A city works when it keeps its own identity and Boston is in danger of losing this most important asset. Boston is not supposed to be a city of high-rises with the fast-paced lifestyle that accompanies that kind of architecture, but that's the direction we're heading in. People who have lived in Boston for a long time like the town just the way it is. It might not all be perfect but we like it this way. We do not want the current trend to continue.

The two new buildings for Columbus Center do not belong in Boston. They belong in New York. If it's too expensive for developers to build buildings of a reasonable and suitable height for this location then leave the "lots" empty. Seven or eight stories is the most a building in this area should be. Besides, Boston can always use more open spaces; they help a city breathe.

Along with the height question, there are a great number of other issues which concern me: traffic and parking are crazy in this area; sometimes you can't get on the T, it's so packed; we get a lot of dust from the 131 Dartmouth Street construction on Columbus, so I can't imagine how bad it will be with construction just a few yards from where I work. The area is over-burdened enough as it is. I say these things as someone who has worked in the South End for 5 years.

There has to be a stop to all the building. It's ALL too big, too high, too fast and too much.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Brian Grabowski', with a large, loopy flourish at the end.

Brian Grabowski

49 E. Springfield St.
Boston, Ma 02118

Ms. Randi Lathrop,
1 City Hall Square, Ninth Floor,
Boston, Ma 02201

April 16, 2001

Re: Opposition to Columbus Center Project

Dear Ms. Lathrop,

I am disturbed by the proposals for the two new Columbus Center high-rises (38 and 33 stories) planned for Columbus Ave. I find it unacceptable that buildings of this height be considered for the South End.

I have been a South End resident for 35 years at the same address, so I know something about the South End. I know what belongs here and what doesn't and these buildings don't belong. Just look around. Is anything else this tall? Of course not. Nothing on Columbus is more than 8 stories, most of the South End has less than 5 stories. You can't expect anyone to seriously want a 38 story building next to their front door. It truly shocks me that this project has advanced to this stage.

Then there is the 15 story maximum decided on by the "Citizens' Advisory Committee". Yes, the members are citizens but over half were selected by the turnpike/developer and construction industry labor unions and the rest by the city. Who represented the citizens directly? Of course they would settle on a height that is still over twice as high as one of its nearest neighbors (75 Clarendon).

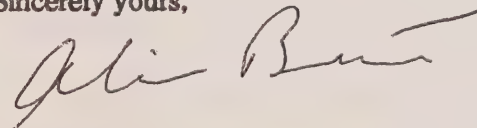
When the South End first started changing in the early 80s some people thought it was a good idea to clean it up and save the brownstones. I didn't because I could see what was coming. In some cases they were tearing down perfectly good houses just to put up more expensive properties so that a few people could make some money. Columbus Center is more of the same except the scale is hundreds of times greater. A lot of money is going to be made by a very few people. A lot of people are going to suffer from the increased congestion (in an area already pushed to the limits in terms of traffic and parking problems), noise at every hour of the day and night (when did it become legal to subject residents to round-the-clock construction noise?) and almost certain damage to the foundations of all neighborhood in a four block range. Then there is the danger of creating a wind tunnel along Columbus Ave. These are serious problems. Isn't anyone considering them?

The South End used to have an interesting bunch of real people living in it, people who would sit on their stoop and tell stories at the end of the day, but with all the upscale developments character is being siphoned out of the area. Instead we seem to have acquired members of an elitist condo club as the old-timers are driven out.

People who have such blatant disregard for what harmonizes with the South End have no business making decisions for it. If anyone thinks money isn't doing the talking here I will only point out the obvious fact that those who have the money are standing in a very strong position at the moment and I fear no one else is being heard.

The face of Boston is changing and it is getting uglier by the day.

Sincerely yours,



Alison Barnett

52 Montgomery Street
Boston, Ma 02116

Ms. Randi Lathrop
Assistant Director
Community Planning
1 City Hall Square, 9th Floor
Boston, Ma 02201

April 16, 2001

Re: Opposition to Columbus Center, Project EOE 12459

Dear Ms. Lathrop,

The South End does not need high-rise buildings. The Columbus Center proposal calls for 38 stories on Clarendon Street and 33 stories on Berkeley Street. It seems obvious to me that a residential neighborhood is no place for buildings of this scale.

Technically, there maybe no zoning laws in effect over the Turnpike, but there is an implicit code in place: the existing neighborhood. This means an 8 story maximum.

I do not support the Civic Vision and their 15 story buildings. The committee members are biased towards development. Six members were chosen by the turnpike /developer and construction industry labor unions and five members were chosen by the city. Who was chosen by the residents of the South End?


Columbus Ave is far too congested to be able to take on the additional burden of two construction sites. The crossing at Columbus and Clarendon is dangerously windy at times and if two towers (even of 15 stories) are built on Columbus, then Columbus, too, will become a wind tunnel. How will the elderly cross the street?

On the other hand, can't we do something for the community and build a park? What new open space or public park has the city created in the recent past in this area? None. It's been one development after the other. We need balance. With all the tall buildings going up in the vicinity there needs to be additional open space created in compensation.

The South-West Corridor is a great place to walk and get away from the noise and traffic for a while. Boston needs more green spaces with trees, grass and benches. The Emerald Necklace is Boston's finest asset. We should take more of our ideas from Frederick Law Olmstead and less from developers.

Boston may be a major city but we need to keep the scale human. The costs involved in creating a park might be high in the short term, but the city will be much richer in the long term because its citizens will be less stressed, healthier and more content. Those are the assets we should be focussing on.

Sincerely,


Hugh Fitzgerald

April 17, 2001

Ms. Randi Lathrop
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201

Re: Columbus Center/Parcels 16, 17 and 18

Dear Ms. Lathrop:

I am a property owner and resident of 40 Isabella Street in Bay Village. The secondary entrance/exit to 40 Isabella Street is at 25 Cortes Street, which is exactly 81 paces from parcel 17 of the proposed Columbus Center development. The windows of my living room and guest bedroom have direct sight lines over parcels 16, 17 and 18. This location information will give you a clear sense of the impact the proposed Columbus Center development will have to the quality of my daily life.

I am very excited about the development of parcels 16, 17 and 18, but my excitement is tempered by the fact that I expect this development to take place within the guide lines set forth in *A Civic Vision For Turnpike Air Rights In Boston*. As proposed, Columbus Center has a long way to go before it expresses the vision outlined in this award-winning guide.

I understand from my attendance at the April 9th MEPA scoping session that there are significant areas of the project that only the BRA will be addressing in their scoping sessions. The following are some, but certainly not all, of my concerns surrounding this proposed development.

Light and Shadow Impacts

The development as proposed for parcel 17, especially at the height presently on the table, will have an enormous affect to my home by both the loss of sunlight and the creation of shadows. The proposed building on parcel 17 will have a north/south axis presenting the majority of its mass to the east, directly towards my residence and Bay Village. As the sun advances to the western edge of the proposed building I will lose an enormous amount of sunlight, both on the Cortes Street facade and the Isabella Street facade of my residence. I shudder to think about the shadows that will creep across my building towards Bay Village. If the BRA is considering site visits to the surrounding residences in the area of parcel 17, please contact me. I am more than happy to have any BRA representatives visit my home to assess the affect the loss of sunlight and the creation of shadows will have to not only my daily life but to that of all Bay Village residents.

Air Quality

I understand that the decking for this project will cover all of the turnpike on parcels 16 and 17. I am very concerned about the venting of the vehicular exhaust from vehicles traveling the turnpike. Because of the proximity of my residence to parcel 17 I am very concerned about the ventilation systems used in the building proposed for this site.

Transportation

The proposed projects for parcels 16 and 17 will generate a huge amount of traffic from both residents and visitors to the properties. The streets of Bay Village are very few and, as you are aware, parking is a precious commodity in our neighborhood. Historically visitors will seek out resident parking spaces in surrounding neighborhoods rather than pay for parking in public garages. I am very concerned about the impact of vehicular traffic to my neighborhood. Isabella Street has always been utilized as a shortcut to the Arlington Street on-ramp to the turnpike and I am very concerned about the increase in traffic down our residential street.

Noise

Construction noise is a given with any project of this dimension and scope. I look to the developer to mitigate the negative affects this will have to the immediate residents of both parcels. For instance, I would hope that any construction would be limited to the hours of 7AM to 4PM and construction would take place Monday through Friday only. Because of the close proximity of my residence to parcel 17 I am very concerned about the noise generated from vehicular traffic servicing the proposed building once it is built.

An additional element of noise that greatly concerns me is the reverberation affect off of the proposed building on parcel 17 of vehicular traffic using the turnpike. With the decking of parcels 16 and 17 covering portions of the turnpike near my home, the only remaining open turnpike space is that known as parcel 18. Presently the vehicular noise from this stretch of the turnpike is disbursed over a large, fairly unobstructed area. With the largest massing of the proposed building on parcel 17 facing directly into parcel 18, I am concerned that the noise from vehicular traffic will have no where to go but to bounce off of this building and create havoc with the quality of my life and Bay Village.

Parcel 18

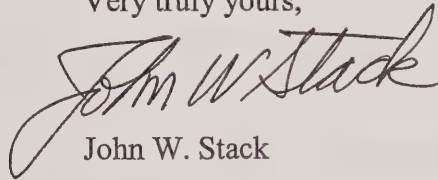
The *Civic Vision* is quite clear in delineating a relationship between parcel 16 and 18. A substantial amount of green space in the form of a public park on parcel 18 will add a wonderful element to our communities. Once again, I ask that the BRA and the developers adhere to the guidelines of the *Civic Vision*.

Parking

A project of this scope will require an enormous number of on-site workers during the construction period. I am concerned that the construction crews will inundate our already choked streets and public parking lots with their vehicles. Once the project is complete the service vehicles (taxies, delivery trucks, etc.) required to support the hotel and residences will further exacerbate the parking situation in our neighborhood.

Thank you for the opportunity to provide my input in this process. If you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink that reads "John W. Stack". The signature is written in a cursive, flowing style with a large initial "J".

John W. Stack

40 Isabella Street
Unit 4W
Boston, MA 02116-5200

LITDOCS:1258251.1

April 6, 2001

Ms. Randi Lathrop, Asst. Director
Community Planning
1 City Hall Square
Boston, MA 02201

Dear Ms. Lathrop:

As a new resident of Boston (condo at 82 Berkeley St.), I commend the work you are doing to inform and educate those concerned re Columbus Center.

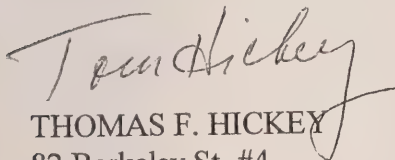
For purposes of helping you tabulate neighborhood concerns, mine are similar to many of those already expressed, and in order of priority fall thusly:

1. Noise (particularly that which will be generated by leaving open the tracks- Lot #17)
2. Parking
3. Building Height

Though I own a parking space in the neighborhood, I feel very strongly that considerable additional parking - low cost or free - possibly as a municipal lot - should be incorporated into the plans. Though it would probably be totally unfeasible, economically, how about covering the existing exposed tracks (eliminating the noise problem) with a parking 'platform'. Maybe allowing a little more 'massing' would make it more palatable for the developers to consider this.

I agree with the sentiments expressed last night by Ms. Colley, I believe it was, regarding the desirability of getting 'something' built on the two lots.

Sincerely,


THOMAS F. HICKEY
82 Berkeley St. #4
Boston, MA 02116

29 March 2001

Boston Redevelopment Authority
Planning and Economic Development Office
One City Hall Square
Boston, MA 02201-1007

Attention: Randi Lathrop

Regarding: Project Notification Form for Columbus Center
Massachusetts Turnpike Air Rights Parcels 16, 17 and 18

Dear Ms. Lathrop:

The following are my comments to the PNF. Please distribute them to all interested parties.

The master plan for Turnpike air rights (A Civic Vision for Turnpike Air Rights in Boston) identifies what is minimally necessary for a project on Parcels 16 and 17 to be considered a betterment to the community.

The master plan was developed to repair damage done to the City's fabric by previous state-sponsored improvement initiatives. It lists the various issues to be addressed, and presents economically feasible, appropriate and generally acceptable solutions to the concerns identified.

The Project Notification Form for Columbus Center states the central urban design goal for parcels 16 and 17 is "to bridge the literal gap over the Massachusetts Turnpike", which oversimplifies the point of the master plan and thereby misses its point almost completely.

The proposed project impacts the immediately adjacent community in various negative ways, but offers the community no significant benefit other than eliminating the experience of crossing a bridge.

Recognizing that crossing the bridge on foot is not so bad, it is important to guard against the possibility that the city, the state and free enterprise would profit at the expense of neighboring citizens and future generations.

The master plan clearly states that "inappropriate air rights development – projects that generate too much traffic or require buildings that diminish the character of their surroundings – should not be built."

I believe the proposed project is much larger than necessary or appropriate. As a result, it will adversely impact the surrounding community. The proposal should, therefore, be rejected.

Attached is a detailed List of Comments and Concerns, which more-or-less follows the format of the PNF report.

Thank you.



Peter Pogorski

12 SAINT CHARLES STREET
BOSTON, MA 02116

PHONE: 617 423 0038
FAX: 617 350 7439

PNF FOR COLUMBUS CENTER - TURNPIKE AIR RIGHTS PARCELS 16 & 17
LIST OF COMMENTS AND CONCERNS

Neighboring Buildings:

The 3 ½ story buildings forming the Saint Charles/Cazanove Streets neighborhood, abutting the southern edge of parcels 16 and 17, are completely overlooked by the PNF.

Proposed Program:

Every effort should be made to reduce the program, since the neighborhoods in this area are already among the densest in Boston, and have little open space.

The parking ratio should be reduced to the minimums in the master plan and city zoning regulations (0.75 spaces per residential unit; 0.5 spaces per hotel room), in order to minimize aggravating existing traffic congestion in this area, and reducing building mass.

Resident stickers should not be made available to occupants of this project, on the basis that the project's needs will be adequately met on site. Parking is very limited for existing neighborhood residents, and should be limited for the new residents as well. This is consistent with the regional initiative to decrease reliance on automobiles.

Feasibility of locating parking below grade on the "terra firma" portions of the parcels should be seriously explored, to reduce building mass as much as possible.

Health clubs and a grocery store are already present in the neighborhood. The need for more cafes and convenience stores is also questionable. How will this project support local businesses, and what assurance is there that the retail tenants will be those promoted and described?.

Function space in the hotel will create a relatively high ratio of vehicle trips, many at peak hours, and should be eliminated to reduce both traffic and building mass (including required parking).

Off-street loading dock and dumpster areas for both parcels appear inadequate, particularly for the retail space and especially for the grocery store. The master plan calls for off-street loading and service – this criteria must be applied to the retail spaces.

Public Benefits:

To reduce the need for a disproportionately large building mass to economically justify this project, the City should postpone tax revenues instead of requiring the abutters to shoulder the project's adverse impacts for city-wide benefit. Didn't previous air rights developments benefit from government subsidies?

Similarly, the MTA should raise tolls to put the burden of highway maintenance on highway users instead of on abutters, to help reduce the economically necessary building mass.

The MTA should abandon the notion that acting as real estate developers will permit them to finance Central Artery Project budget overruns, while burdening the Turnpike's abutters with additional building mass and resultant perpetual neighborhood problems.

The South End and the immediate neighborhood already have a lot of low income housing. More mixed income/subsidized housing should be avoided in this "high land value" location, if it means that an unacceptably large building mass is necessary for economic viability.

Rental housing tends to have more transient residents with no long-term investment in the neighborhood, and should be avoided, since condominiums tend to provide a substantial proportion of investor-owned rental apartments, but still provide the stability and commitment of owner-occupants.

Child care and other youth facilities including indoor and outdoor recreation space should be provided if a large new supply of family-sized units is planned.

The planned development appears to concentrate noise and pollution from the Turnpike and train station, funneling it directly at the Saint Charles/Cazanove Streets neighborhood, and creating an echo effect.

A Civic Vision for Turnpike Air Rights

Each of the master plan's goals, issues and concerns should be acknowledged by the proponent's submission and satisfied by the approved project. This is the purpose of the master plan and the obligation of the government that commissioned it on behalf of the citizens.

Why is the size of this project twice that of what was envisioned by the master plan? The PNF overlooks THE fundamental point of the master plan, repeating instead that more pedestrian traffic will benefit everyone.

The master plan stresses that building massing and height should relate to the character of adjacent communities; it diagrams how this should be accomplished three-dimensionally; and it states that these parcels should have only one tall building, located north of Columbus Avenue.

The 33 story tower proposed along Berkeley Street will not knit the South End and Bay Village together as intended. It will catch the prevailing wind from the harbor, and cast a very large shadow, creating a questionable pedestrian experience. A planted wind buffer on the east side of Berkeley Street should be considered, but safety from crime is a critical concern in its design.

Contributions toward a public park are not an effective form of mitigation. If a park is deemed advantageous after all of the project's size-related concerns are resolved, and if park maintenance is assured, and if park design is approved as appropriate and safe, then a park should be built as part of this project – not IF further funding is secured at some point in the future.

Public Agencies:

The South End, Bay Village and Back Bay Historical Commissions should be involved, since the project sits between and abuts each of these Historic Districts. One of the master plan's stated objectives is to knit these neighborhoods together.

The Boston Traffic Department should be listed as a necessarily involved public agency.

Transportation

The additional vehicle trips generated by this project can be most effectively mitigated by reducing the building program significantly.

The report acknowledges that “the primary impacts of this project will not extend far beyond local streets in the immediate area”. The neighborhood cannot simply absorb over two thousand additional vehicle trips per day.

The report’s stated premise that traffic won’t be too bad “given reasonable levels of physical improvements and demand management” must be defined, demonstrated and implemented.

Any traffic study should consider additional traffic from the new hotel at Police Department HQ, as well as future development of Parcel 18.

An independent traffic analysis should be commissioned, to relieve the Traffic Department’s burden. A proper traffic analysis should gather and apply actual data from the current community at large (in lieu of using historic national planning figures for assessment of the immediately adjacent intersections only).

The Orange Line is “standing room only” every morning and evening. How is it possible to accommodate more than 2000 additional riders each day without adversely impacting all riders? Discouraged riders will revert to using their cars.

Will resident and visitor parking on roadways be maintained to the present quantity? If space must be assigned to curb cuts and more traffic, where will the current users park?

Construction Impact

The report states that “air quality impacts from fugitive dust may be expected during the construction period.” Neighboring residents feel that a plan is needed which makes every effort to avoid fugitive dust during the 3 years of construction.

In addition to dust and noise, the monitoring, control and mitigation of adverse impacts from dewatering and vibration are essential. What assurance will be provided of no short or long term water table impact in the area?

Recognizing the seriousness of the gradual citywide dropping of the water table, Turnpike pumping rates and capabilities should be studied and a water table replenishment plan should be implemented in the course of air rights development as an adverse impact mitigation measure.

Construction worker parking provisions must be carefully developed, monitored and enforced, to not impact very limited facilities in the adjacent community during construction.

Truck routing must be carefully planned, monitored and enforced so that no trucks are permitted in the neighborhoods.

Daily – not just periodic - cleaning of adjacent streets/sidewalks and all truck wheels leaving the site must be established, monitored and enforced.

In addition to preserving air quality for pedestrians, the project must specify safeguards for neighboring residents and businesses.

The report states that the deck may be constructed around the clock. Since this phase of construction will last a year, explicit provisions must be required to permit neighboring residents the peaceful enjoyment of their homes.

Independent review of the projects structural and geotechnical engineers' foundation methodology and monitoring program is warranted, to ensure that buildings and utilities in the vicinity of the site are not adversely affected by construction.

Use of less noisy construction techniques and equipment should be explicitly specified; not simply promised "where feasible", which will eventually come to be interpreted as "where it doesn't cost any more".

An enforceable methodology must be implemented to realize the report's premise for management of construction impacts, that: "proper planning and coordination with the MTA, appropriate city agencies, and the neighborhood will enhance the successful development of the Project."

Environmental

The local wind direction often follows the Pike, westbound, although the regional prevailing direction stated in the report is from the northwest. Wind studies for air quality and pedestrian comfort should be based on the various actual conditions typical at the site.

Provisions should be developed to ensure that wind coming from the east will be mitigated at the pedestrian level on Berkeley Street. This should include setback of the tower (as is proposed at Columbus Avenue in response to winds from the northwest), and a planted buffer along both sides of Berkeley Street.

High density and lack of open space make daylight a critical concern to the Saint Charles/Cazenove Streets neighborhood abutting the project's south edge. Building mass should be located to maximize sky view from these streets, and from the back yards.

The proposed design appears to concentrate automobile, truck and diesel locomotive fumes and noise from the Turnpike and train station, discharging them at the Cazenove/Saint Charles Streets neighborhood. This is particularly distressing in view of the stated prevailing wind direction from the northwest, where tall buildings and the amphitheater form of the proposed building would create an eddy in which fumes would collect and noise would be concentrated.

The proposed design appears to concentrate parking garage openings to concentrate fumes, noise and light pollution discharge toward the Cazenove/Saint Charles Streets neighborhood. This problem could be avoided if openings were eliminated, but a blank wall is also undesirable.

Recognizing that the South End is subject to flooding during heavy rains, how will the increased storm water discharge - which previously fell onto and was pumped by the Turnpike - impact the BWSC system. What measures will ensure that the additional load on the city sewer system will not increase the frequency of system overload, or increase the possibility or extent of flooding in the event of sewer pump failure as periodically has occurred throughout the South End in the past.

Off-street loading and service areas appear undersized, with inadequate space for garbage dumpsters and sorted recycling bins. How merchandise and trash are transported to and from these spaces is unclear.

Urban Design

The report's statement that the 101 Clarendon tower "presents its narrowest side to the South End" appears to be at variance with the floor plans submitted. A roof plan superimposed on a street plan has not been included to illustrate the actual conditions.

The report states that the 101 Clarendon tower “is likely to be only minimally visible” from South End Streets other than limited locations on Columbus and Clarendon . This appears to be contrary to submitted plans when standing anywhere on Cazenove Street or its intersection with Chandler, as well as the yards and alley between Cazenove and Clarendon Streets.

The podium (parking structure) of 100 Berkeley is described as eight stories high, which is more than twice the height of the buildings it faces in the adjoining Saint Charles/Cazenove Streets neighborhood. Building mass should step down to the scale of this historic district, per the master plan.

The tower along Berkeley Street should be set back from the street-level façade by one or two bays (20 to 45 feet), to better maintain the street’s cornice line and link the scale of the South End with that of Bay Village, while obscuring the tower’s presence at street level and helping reduce wind at the base of the building. Towers in the business district further up Berkeley Street appear to be set back from 35 to 85 feet. Too much of a setback at Parcel 17 would unacceptably block daylight and line-of-sight along Saint Charles Street.

30 March 2001

Boston Redevelopment Authority
Planning and Economic Development Office
One City Hall Square
Boston, MA 02201-1007

Attention: Randi Lathrop

Regarding: PNF for Columbus Center
Massachusetts Turnpike Air Rights
Parcels 16, 17 and 18

Dear Ms. Lathrop:

I have reviewed the PNF for Columbus Center, and ask you to distribute my comments to all concerned. In addition to my support of the concerns raised by the Ellis Neighborhood Association, I am writing to stress the following issues which would significantly impact residents of Saint Charles and Cazenove Streets (among many other neighbors):

The 3 ½ story buildings forming the Saint Charles/Cazanove Streets neighborhood, abutting the southern edge of parcels 16 and 17, are completely overlooked by the PNF.

Every effort should be made to reduce the building program, since the neighborhoods in this area are already among the densest in Boston, and have little open space.

The parking ratio should be reduced to the minimums in the master plan and city zoning regulations (0.75 spaces per residential unit; 0.5 spaces per hotel room), in order to minimize aggravating existing traffic congestion in this area, and reducing building mass.

Resident stickers should not be made available to occupants of this project, on the basis that the project's needs will be adequately met on site. Parking is very limited for existing neighborhood residents, and should be limited for the new residents as well. This is consistent with the regional initiative to decrease reliance on automobiles.

The planned development appears to concentrate noise and pollution from the Turnpike and train station, funneling it directly at the Saint Charles/Cazanove Streets neighborhood with an echo/eddy effect.

Why is the size of this project – and resultant adverse impacts on the abutting community – twice that of what was envisioned by the master plan? All those involved in the master plan's preparation acknowledge that economic feasibility was an important aspect of its recommendations, confirmed independently by two consultants.

The master plan stresses that building massing and height should relate to the character of adjacent communities; it diagrams how this should be accomplished three-dimensionally; and it states that these parcels should have only one tall building, located north of Columbus Avenue. The proposal ignores these guidelines.

The 33 story tower proposed along Berkeley Street will not knit the South End and Bay Village together as intended. It will catch the prevailing wind from the harbor, and cast a very large shadow, creating an often less-pleasant pedestrian experience.

The South End and Bay Village Historical Commissions should be involved, since the project sits between and abuts these Historic Districts.

The additional vehicle trips generated by this project can be most effectively mitigated by reducing the building program significantly.

The report acknowledges that “the primary impacts of this project will not extend far beyond local streets in the immediate area”. The neighborhood cannot simply absorb over two thousand additional vehicle trips per day.

The Orange Line is crowded every morning and every evening. How is it possible to accommodate more than 2000 additional riders each day.

The report states that “air quality impacts from fugitive dust may be expected during the construction period.” As a neighboring resident, I feel that a plan is needed which makes every effort to avoid fugitive dust during the 3 years of construction.

In addition to dust and noise, the monitoring, control and mitigation of adverse impacts from dewatering and vibration are essential. What assurance will be provided of no short-term or long-term water table impact or structural settlement in the area?

Recognizing the seriousness of the gradual citywide dropping of the water table, Turnpike pumping rates and capabilities should be studied and a water table replenishment plan should be implemented in the course of air rights development as an adverse impact mitigation measure.

Construction worker parking provisions must be carefully developed, monitored and enforced, to not impact very limited facilities in the adjacent community during construction.

Truck routing must be carefully planned, monitored and enforced so that no trucks are permitted in the neighborhoods.

Daily - not just periodic - cleaning of adjacent streets/sidewalks and all truck wheels leaving the site must be established, monitored and enforced.

In addition to preserving air quality for pedestrians, the project must provide safeguards for neighboring residents and businesses.

The report states that the deck may be constructed around the clock. Since this phase of construction will last a year, explicit provisions must be made to permit neighbors the peaceful enjoyment of their homes.

Independent review of the projects structural and geotechnical engineers’ foundation methodology and monitoring program is warranted, to ensure that buildings and utilities in the vicinity of the site are not adversely affected by construction.

Use of less noisy construction techniques and equipment should be explicitly specified; not simply promised “where feasible”, which will eventually come to be interpreted as “where it doesn’t cost any more”.

The local wind direction often follows the Pike, westbound, although the regional prevailing direction stated in the report is from the northwest. Wind studies for air quality and pedestrian comfort should be based on the various actual conditions typical at the site.

High density and lack of open space make daylight a critical concern to the Saint Charles/Cazenove Streets neighborhood abutting the project’s south edge. Building mass should be located to maximize sky view from these streets, and from the back yards.

The proposed design appears to concentrate automobile, truck and diesel locomotive fumes and noise from the Turnpike and train station, discharging them at the Cazenove/Saint Charles Streets neighborhood. This is particularly distressing in view of the stated prevailing wind direction from the northwest, where tall buildings and the amphitheater form of the proposed building would create an eddy in which fumes would collect and noise would be concentrated and echoed.

The proposed design appears to concentrate parking garage openings to concentrate fumes, noise and light pollution discharge toward the Cazenove/Saint Charles Streets neighborhood. This problem could be avoided if openings were eliminated, but a blank wall is also undesirable.

Recognizing that the South End is subject to flooding during heavy rains, how will the increased storm water discharge - which previously fell onto and was pumped by the Turnpike - impact the BWSC system. What measures will ensure that the additional load on the city sewer system will not increase the frequency of system overload, or increase the possibility or extent of flooding in the event of sewer pump failure as periodically has occurred throughout the South End in the past.

Off-street loading and service areas appear undersized, with inadequate space for garbage dumpsters and sorted recycling bins. How merchandise and trash are transported to and from these spaces is unclear.

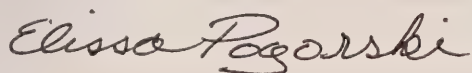
The report states that the 101 Clarendon tower "is likely to be only minimally visible" from South End Streets other than limited locations on Columbus and Clarendon . This appears to be contrary to submitted plans when standing anywhere on Cazenove Street or its intersection with Chandler, as well as the yards and alley between Cazenove and Clarendon Streets.

The podium (parking structure) of 100 Berkeley is described as eight stories high, which is more than twice the height of the buildings it faces in the adjoining Saint Charles/Cazenove Streets neighborhood. Building mass should step down to the scale of this historic district, per the master plan.

The tower along Berkeley Street should be set back from the street-level façade by one or two bays (20 to 45 feet), to better maintain the street's cornice line and link the scale of the South End with that of Bay Village, while obscuring the tower's presence at street level and helping reduce wind at the base of the building. Towers further up Berkeley Street in the business district appear to be set back from 35 to 85 feet – although too much setback would unacceptably block daylight and line-of-sight along Saint Charles Street.

The comments listed above are of particular concern to me. Please see to it that the public officials charged with overseeing this matter are made aware of the importance of these issues. Thank you.

Respectfully submitted,



Elissa Pogorski
12 Saint Charles Street
Boston, MA 02116

7 April 2001

Robert Durand, Secretary
Executive Office of Environmental Affairs
MEPA Office
251 Causeway Street, Suite 900
Boston, MA 02214-2316

Attention: Bill Gage, Environmental Analyst

Regarding: EOEPA Project No. 12459
Environmental Notification Form (ENF) for Columbus Center
Massachusetts Turnpike Air Rights
Parcels 16, 17 and 18

Dear Mr. Durand and Mr. Gage:

I have reviewed the ENF for this project and have attached a 12 page listing of specific comments and concerns. Although I support development of these parcels in accordance with the City's recently completed master plan, I am very seriously concerned that although the proposed project offers no appreciable benefits, it is WAY TOO BIG. The consequent adverse environmental impacts of this extreme deviation from the master plan are many and varied. I have listed over 100 of them for your consideration, and I expect there are many other relevant issues to be identified and addressed before this proposal can be allowed to move forward.

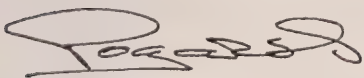
The proposed project is much larger than that identified by *A Civic Vision for Turnpike Air Rights in Boston* as appropriate and economically feasible for these parcels. Thus, the adverse impacts to the quality of life in the surrounding neighborhood will be increased greatly beyond what is reasonable. Regardless of any claims or omissions by the ENF - including reliance on data that is no longer accurate - the scale of the proposed project cannot avoid severe negative impact to the environment immediate to our neighborhood in many ways, including:

- | | |
|--------------------------|--------------------------|
| • Density | • Traffic and Parking |
| • Public Transportation | • Noise |
| • Light | • Wind |
| • Air Quality | • Groundwater |
| • Storm Water Management | • Utility Infrastructure |
| • Solid Waste Disposal | • Construction |

The proposal submitted is of an obviously outrageous scale. I expect that no amount of analysis and documentation can hide that it will have significant adverse environmental impact, and a thorough environmental impact analysis will demonstrate and document what is already apparent.

Please help us ensure that those in the public service recognize their civic duty in this matter, and that we do not sacrifice the quality of our environment for immediate economic gain.

Thank you for your effort and concern.



Peter Pogorski

cc: Randi Lathrop, BRA
(for distribution to all interested parties)

12 SAINT CHARLES STREET
BOSTON, MA 02116

PHONE: 617 423 0038
FAX: 617 350 7439

ENF FOR COLUMBUS CENTER - TURNPIKE AIR RIGHTS PARCELS 16 & 17

LIST OF COMMENTS AND CONCERNS

Although the proposed project will have numerous substantial adverse impacts to its environment, the proposal does not offer substantive mitigating benefits to the community. Contrary to its claims, the proposed project disregards fundamental restrictions of the City's master plan for these parcels, resulting in a number of serious environmental consequences. The master plan was developed by consensus through some 50 public meetings involving the Turnpike Authority. The following comments are numbered to correspond with the page numbers of the Environmental Notification Form as submitted, dated March 15, 2001.

- 2 The proponent appears to be under-stating which thresholds will be met or exceeded, the vehicle trips per day, and the GPD water withdrawal.
- 3 a PROJECT DESCRIPTION: The proponent did not note the presence of a train shed with an egress head house and electrical substation on Parcel 17 (100 Berkeley Street).
- 4 b ALTERNATIVES: Although coyly presented, the proponent seems to identify his proposal as an alternative to the recommendations of the City's master plan titled *A Civic Vision for Air Rights in Boston*, while claiming the master plan to be a primary factor in design of the proposal, and implying that the proposal's extraordinary departures from the master plan are necessary due to the technical complexities and resultant economic challenges of building on highway/railroad air rights.

A fundamental prerequisite for recommendations of *A Civic Vision* was their technical and economic feasibility, which was confirmed by a team of specialized consultants. Since its completion, the master plan has been nationally recognized as exemplary, although the proponent has yet to demonstrate his credibility in successful delivery of responsible projects of comparable size and complexity.

The proponent would have us believe the master plan developed by the city at a cost of \$2 million with 50 public meetings over two years produced recommendations and guidelines which are optional. It should be noted that disregard of the guidelines the Turnpike Authority puts down on their roadway will get you pulled over. Similarly, the master plan developed at public expense on a consensus basis is an environmental quality standard which must be honored. Ergo, the proposal must be rejected, because it is more than twice the size and environmental impact of what was recommended as maximum.

- 4 c ON-SITE MITIGATION: By more than doubling the size and mass of the project from that recommended as maximum by the master plan, the proponent has introduced previously unimagined adverse impacts to the surrounding community. To simply state an intention to mitigate the resultant traffic through various unspecified means is an unacceptably cavalier treatment of a very troubling issue. Similarly, the promise to prepare Construction Management and Pollution Prevention Plans, and to mitigate any adverse impacts, is a meaningless commitment – especially in view of the proponent's disregard of the master plan's recommendations for project size and massing.
- 6 F&G IMPACTS AND PERMITS: Although it may not be a major modification of MGLc121A or B, the proposal is an extreme modification of the Boston air rights master plan.

The Legislature required the Turnpike Authority to ensure that any air rights development "shall preserve and increase the amenities to the community."

The Memorandum of Understanding between the City and the Turnpike Authority states that: "The parties agree to ensure that any project is beneficial to the City and to the residents of the affected communities and minimizes, to a reasonable extent, adverse impacts upon the quality of life, including but not limited to, traffic, noise, light, density and air quality in the neighborhood surrounding any such project."

Therefore, a comprehensive environmental impact study specific to the current and future environment impacted by this enormous proposal is essential.

- 7 K OTHER IMPACTS ON LAND: The sloped grassy surface - which will be eliminated - may not seem like much, but the proposal makes no commitment to re-establish a single planting with this project of well over 1,300,000 square feet, in a neighborhood noted for its lack of open space.
- 7 B REGIONAL POLICY PLAN: Although the proponent mentions an obligation to comply with the MOU between the MTA and the City of Boston, the master plan (*A Civic Vision for Air Rights in Boston*) is not mentioned, indicating the proponent's rejection of its validity. The proposal should be rejected for disregard of minimum civic environmental standards.
- 7 C LOCAL ZONING: Although Turnpike air rights are exempt from City of Boston zoning ordinances, the two privately owned parcels which are now parking lots and form the anchor point of each parcel's tower are not exempt. Statements to the contrary appear to be legally unsupportable, leaving the proposed project - as designed - subject to local zoning review.
- 7 D LOCAL IMPACT REVIEW: Again, the master plan has been disregarded. The details promised in Attachment 2 have not been distributed with the ENF.
- 8 ATTACHMENT 2: Attachment 2 has not been distributed with the ENF.
- 8 LEGISLATIVE AUTHORITY: Referencing item 7C above, no mention is made to land not owned by the MTA. It should be noted that the Court recently found, in a Framingham case, that acquiring land for the purpose of development was beyond the Turnpike's authority.
- 8 MEMORANDUM OF UNDERSTANDING: Note that the desirability of meaningful public review is clearly expressed. Note that the Citizens Advisory Committee review process is limited by the MOU to a few advisory meetings, thereby greatly limiting its ability. Note that the MOU applies only to air rights owned by the MTA (this point has been totally omitted from the ENF). And note that no exception has been made for compliance with the *Civic Vision* or with MEPA environmental impact reporting and assessment procedures.
- 8 STRATEGIC DEVELOPMENT STUDY COMMITTEE: The following sections purport to demonstrate compliance with the previously unmentioned *Civic Vision* master plan. The proponent identifies the environmental issues therein as the purview of the BRA. The proponent's greatly exaggerated claims of compliance suggest a hope or expectation that MEPA reviewers will not obtain and read the *Civic Vision* master plan.

Each of the master plan's goals, issues and concerns should be acknowledged by the proponent's submission and satisfied by the approved project. This is the purpose of the master plan and the collective obligation of our government that commissioned it on behalf of the citizens.

- 9 USES: The proposal is basically consistent with the uses expressed in the master plan, but more than doubles the permissible volume of those uses, as well as the resultant environmental impact. Comments specific to Uses are as follows:

Every effort should be made to reduce the building program, since the neighborhoods in this area are already among the densest in Boston. Because this residential area has precious little open space, the proposed development must be required to maximize open sky and natural light.

Health clubs and a grocery store are already present in the neighborhood. The need for more cafes and convenience stores is also questionable.

Function space in the hotel will create a relatively high ratio of vehicle trips, many at peak hours, and should be eliminated to reduce both traffic and building mass (including required parking).

The South End and the immediate neighborhood already include a fair share of low income housing. More mixed income/subsidized housing is inappropriate in this "high land value" location, if it means that an unacceptably large building mass is necessary for economic viability.

Rental housing tends to have more transient residents with no long-term investment in the neighborhood, and should be avoided, since condominiums tend to provide a substantial proportion of investor-owned rental apartments, but still provide the stability and commitment of owner-occupants.

Child care and other youth facilities including indoor and outdoor recreation space -as well as amenities geared to elderly residents - should be provided if a large new supply of family-sized units is planned (as stated in the PNF).

- 9 TRANSPORTATION: The proposal more than doubles the maximum transportation load recommended by the master plan. This load is a direct result of the size and resultant density of the project proposed. Some specific concerns are as follows:

The additional vehicle trips generated by this project can be most effectively mitigated by reducing the building program significantly, to the maximum volume recommended by the master plan.

The parking ratio should be reduced to the minimums in the master plan and city zoning regulations (0.75 spaces per residential unit; 0.5 spaces per hotel room), in order to minimize aggravating existing traffic congestion in this area, and reducing building mass.

Resident parking stickers should not be made available to occupants of this project, on the basis that the project's needs will be adequately met on site. Parking is very limited for existing neighborhood residents, and should be limited for the new residents as well. This is consistent with the regional initiative to decrease reliance on automobiles.

Will resident and visitor parking on roadways be maintained to the present quantity? If space must be assigned to curb cuts and more traffic, where will the current users park? Where will the displaced users park who now use the surface parking lots to be built upon.

The proposal reduces parking available to neighborhood residents, and it does not provide parking for the visitors and other traffic the development would draw. The magnitude of this impact appears staggering and must be investigated.

Off-street loading dock and dumpster areas for both parcels appear inadequate, particularly for the retail space and especially for the grocery store. The master plan calls for off-street loading and service – this criteria must be applied to the retail spaces (see Appendix A, Figure 2-1, Ground Level Plan).

The Orange Line is “standing room only” every morning and evening. How is it possible to accommodate more than 2000 additional riders each day without adversely impacting all riders? Discouraged riders will revert to using their cars.

The *Civic Vision* recommends the construction of a bike path from the train station. The proponent proposes bike racks instead.

- 9 PUBLIC REALM: A primary objective of the master plan is to maintain and improve the quality of life in the vicinity of the project. The size of the proposed project will adversely impact the public realm to a remarkable extent - it is twice the size of what was envisioned by the master plan. The ENF overlooks THE fundamental point of the master plan, claiming instead that more pedestrian traffic will benefit everyone.

The floor area of the proposed project exceeds that of the prudential building, and simplistic traffic studies using archaic data cannot camouflage the realization that the area streets - laid out 200 years ago – cannot handle this additional traffic. The resultant impact on the public realm is grid lock and road rage, as well as a myriad of adverse environmental impacts due to too much traffic.

The number of vehicles leaving/entering the proposed parking garages at peak will likely require a traffic cop – as the Hancock Garage (with its Mass Pike on ramp) does now. Pedestrians will predictably have a difficult time negotiating this environment, as they already do in trying to cross Clarendon Street.

Presently at evening peak, it is very difficult to park in resident spaces of the adjacent neighborhood. Traffic studies must include the inevitable circling and double parking of many vehicles, which will undoubtedly be aggravated by the net loss of on-street parking as a result of this development, coupled with vehicles visiting the residents of the proposed development.

The South End and Bay Village Historical Commissions should be involved, since the project sits between and abuts each of these Historic Districts. Although one of the master plan’s stated objectives is to knit these neighborhoods together, the 33 story tower on Berkeley Street will surely divide them for ever.

To reduce the need for a disproportionately large building mass to economically justify this project, the City should postpone tax revenues instead of requiring the abutters to shoulder the project’s adverse impacts for city-wide benefit. Didn’t previous air rights developments benefit from government subsidies?

Similarly, the MTA should be directed to raise tolls to put the burden of highway maintenance on highway users instead of on abutters, to help reduce the economically necessary building mass.

The MTA should abandon the notion that acting as real estate developers will permit them to finance Central Artery Project budget overruns, while burdening the Turnpike's abutters with additional building mass and resultant perpetual neighborhood problems.

Contributions toward a public park (as suggested in the PNF) are not an effective form of mitigation. The quality of the public realm should not be compromised for the hope that additional funding will be secured at some point in the future. If a park is deemed advantageous after all of the project's size-related concerns are resolved, and if park maintenance is assured, and if park design is approved as appropriate and safe, then a park should be built as part of this project.

- 9 **BUILDING FORM:** The master plan stresses that building massing and height should relate to the character of adjacent communities; it diagrams how this should be accomplished three-dimensionally; and it states that these parcels should have only one tall building, located north of Columbus Avenue. The proposal is not in compliance and should be rejected.

The 33 story tower proposed along Berkeley Street will not knit the South End and Bay Village together as intended by the master plan. It will catch the prevailing wind from the harbor, and cast a very large shadow, creating a questionable pedestrian experience. A planted wind buffer on the east side of Berkeley Street should be considered, but safety from crime is a critical concern in its design.

Feasibility of locating parking below grade on the "terra firma" portions of the parcels should be seriously explored, to reduce building mass as much as possible.

The 3 and 4 story buildings forming the Saint Charles/Cazanove Streets neighborhood, abutting the southern edge of parcels 16 and 17, are completely overlooked by both the PNF and ENF.

The podium (parking structure) of 100 Berkeley is described as eight stories high, which is more than twice the height of the buildings it faces in the adjoining Saint Charles/Cazenove Streets neighborhood. Building mass should step down to the scale of this historic district, per the master plan.

The planned development appears to concentrate noise and pollution from the Turnpike and train station, funneling it directly at the Saint Charles/Cazanove Streets neighborhood. The proposed building configuration would cause any wind to eddy such that fumes would perpetually collect/concentrate, and would create an echo effect that would magnify highway/train station noise toward the immediately adjacent residential neighborhood.

- 10 **CITIZENS ADVISORY COMMITTEE:** The MOU seeks to minimize the public process by abbreviating the permitting sequence. It also gives the developer the right to seek arbitration if they are unhappy with the decisions of the authorities having jurisdiction (which is with public input). Arbitration is generally recognized as the process by which the disagreeing parties "split the difference". Thus, the CAC process is seriously weakened, as is the resultant recommendation of the BRA and the subsequent decision of the MTA. This puts an exceptional importance on a thorough MEPA review process without the usual reliance on the City's review and control capability.

Of the two CAC meetings held to date, there was no discussion at the first meeting, and the project was unveiled at the second (to a shocked audience). Because a time extension of the comment period was demanded, a total of four meetings are planned before the MTA decides the fate of this proposal.

- 10 EO 385 – PLANNING FOR GROWTH: Since the proposal is for more than double the size envisioned by the master plan, a thorough environmental review must be conducted to ensure that the project is supported by adequate infrastructure. It seems obvious that the 200 year old adjacent roadways cannot support the proposal, in addition to their current burden, and it seems other infrastructure would be overburdened as well.

Without thorough environmental review, there is no assurance that the proposed project will not have an adverse impact on a threatened natural resource: the groundwater. Dewatering for construction of this project will likely impact the elevation of the water table at least temporarily, which has been a cause of serious damage and substantial expense to adjacent historic buildings in the vicinity in the past. A dropping of the water table has also recently been recognized as a long-term area-wide problem to which this project could contribute if not mitigated, exposing neighboring wood piles to air and consequent rapid decay with resultant foundation failure.

Without thorough environmental review, any temporary dewatering could undermine a substantial number of immediately abutting buildings in the South End Historic District – a significant historic resource. This would not only cause irreparable loss to the Commonwealth's historic resources, but it would also cause devastating financial loss to many of its citizens.

The ENF states: "as mentioned previously, the Project is largely consistent with the ... Civic Vision report." Because this claim is *largely* overstated, it must be concluded that the claims of compliance with other applicable design criteria are also not credible and must be confirmed in detail by the reviewing authority. On page 21 of the ENF, Section III, the developer states his expectation that any/all requirements of consequence will be identified by the review process and stated as conditions of the permit.

- 14 WATER SUPPLY: The proponent states that the municipality or region has indicated the system has adequate capacity to supply this project, but contradicts that assertion by noting this issue must be studied in more detail.

- 14 GROUNDWATER WITHDRAWAL: The proponent states that this issue is not applicable, although it is not clear that temporary dewatering during construction – which the developer reports will take 3 years – is not being contemplated. The environmental consequences of dewatering are a very real and serious threat to both the historic resources of the Commonwealth, as well as the investment by South End residents in home ownership. This issue must be thoroughly investigated.

Recognizing the seriousness of the gradual citywide dropping of the water table, Turnpike pumping rates and capabilities should be studied and a water table replenishment plan should be implemented in the course of air rights development as an adverse impact mitigation measure. Since this proposal is the first in a number of parcels on which development is now planned, this is the time to confront this issue. Assuming the depressed roadway collects ground water leakage and pumps it to waste (as is typical in highway construction beneath the water table), then it is reasonable to assume that the Massachusetts Turnpike represents a significant potential source of ground water depletion and dropping of the water table. The rate of discharge and zone of influence must be identified to assess its impact, and to develop a mitigation plan if necessary.

- 16 B SEWAGE COLLECTION SYSTEM CAPACITY: The proponent states that the BWSC/MWRA collection system can accommodate this project, but contradicts that assertion by noting this issue must be studied in more detail.
- 17 H OTHER IMPACTS ON WASTEWATER FACILITIES: Another very serious concern to the South End residential community that the proponent has not identified is the issue of storm water management. For many years, the South End has been prone to flooding a large number of homes during heavy rains, when the storm/sewer system overflows and/or pumping equipment fails in meeting the demand. Presently, rainwater falling on the depressed roadway is pumped by the Turnpike's storm water management system. Air rights development will not only collect run-off from previously pervious surfaces (including the train tracks as well as grassed areas), but it will also redirect substantial surface runoff from the Pike's system to the City's system. This issue must be thoroughly assessed, to ensure that existing problems with storm water management are not made worse by this project.
- 18 II TRAFFIC IMPACTS: The basis of average daily traffic generated by the project, as well as the basis of daily traffic on roadways serving the site should be confirmed, not only on each street listed, but also on each of the other streets affected.

The ENF assumes (and the PNF states) that the primary impacts of the proposed project will not extend far beyond local streets in the immediate area. The traffic study in the Appendix C reflects this assumption. The local neighborhood is already very congested – bumper to bumper, with virtual stand-still at peak - and cannot simply absorb over two thousand additional vehicle trips per day. Also, it is unclear how such a large number of vehicles leaving the neighborhood will simply dissipate without impacting adjacent, similarly congested neighborhoods.

The assumption that traffic won't be too bad given reasonable levels of unspecified physical improvements and demand management must be defined in detail and compellingly demonstrated. The basis for acceptability of this proposal is to maintain or improve the quality of life in the surrounding community. Thus, traffic impact must be thoroughly investigated, and planning assumptions must be compellingly demonstrated, since an adverse traffic impact will result in a number of consequently adverse environmental impacts (air quality, pedestrian safety, noise, loss of parking, etc.).

The proposal's impact should be gauged to various major destinations – not just the immediate area. Most vehicle trips generated at the site will use one of several preferred routes to leaving the area, including Clarendon Street south to the expressway (and South Bay Shopping Center), Berkeley Street north to Storrow Drive (and points north/east/west), and the Mass Pike West (at Copley Square). The traffic study reported in the ENF is unrealistic in many ways, and should be performed independently, based on actual current traffic data obtained by site survey. For example, the traffic data in Appendix C lists 2 % of the traffic heading south on Clarendon Street (narrow route through a densely populated residential neighborhood, and yet all South Enders use this route regularly).

The traffic data in Appendix C is apparently based on national standards, outdated census figures and erroneous assumptions. Historically acceptable national averages are not necessarily representative of this area's actual patterns of car usage in the 21st century. Any traffic study should cumulatively consider additional traffic from the other nearby projects recently completed, as well as the planned new hotel at Police Department HQ and future development of Parcel 18.

The traffic data in Appendix C appears to consider the impact of development on each parcel independently, although the proposal is for both to be built and operational simultaneously.

The vehicle trip generation calculations in Appendix C include planning assumptions which are inconsistent with actual local patterns and conditions. For example: the existing parking lots are attended, and regularly parked solid; the number of outbound trips at morning peak and inbound trips at evening peak for the proposed residential units is grossly understated (they are contrary to current practices of area residents); the displaced spaces from the parking lots should not be subtracted from the proposed new spaces, but should be added, since these commuters who pay for daily parking will probably still keep their jobs if the project is built, parking in competition with neighborhood residents (as will service providers and visitors to the project's occupants).

An independent traffic survey and analysis should be commissioned which utilizes statistical sampling techniques based on actual neighborhood traffic patterns and an accurate vehicle utilization rate during peak periods. This will relieve the Traffic Department's burden. A comprehensive traffic analysis should gather and apply actual data from the current community at large, in lieu of using historic national planning figures for assessment of the immediately adjacent intersections only. The study should include impact of busses, deliveries, parking difficulties, etc..

- 18 IIC The assumed "mode split" ratio of car trips, train trips and pedestrian trips generated by the proposed project must be confirmed, since it forms the basis of all transportation impact analysis. Survey of a statistical sampling in the immediate vicinity of the project must be performed, and scenarios must be examined which compensate for the survey's probability factor.
- 18 IIC TRANSIT: The ENF's stated premise that "It is expected that there will be adequate capacity on transit lines ... " must be substantiated. Presently, the Orange Line is "standing room only" during peak periods, with some trains packed full on arrival – it cannot simply absorb 2000 additional daily riders without adversely impacting all the people relying on this station.
- 19 IIC PEDESTRIANS: It should be noted that security around the perimeter of these two parcels currently presents no particular problems to pedestrians. Thus, the proponent's claims of benefit provided to the community by increased density are groundless. The proponent's claim that undefined streetscape and lighting improvements will create a safe environment must be substantiated, since provision of seating and/or plantings can reduce pedestrian safety.
- 19 III CONSISTENCY: The proponent's broad claims of compliance with the various applicable standards have not survived scrutiny in the instances reviewed and cited herein. Compliance claims made in this section (and elsewhere in the ENF) must be fully verified, and an extension of the review process will likely be necessary to accomplish this and other studies.

It is unlikely that more people will walk instead of taking the car or train due to streetscape and lighting improvements to be made on these two blocks unless, of course, the developer is promising the streets will be paved with gold and money will grow on trees. Again, the assumed mode split must be substantiated.

The proponent promises to promote Transportation Demand Management Measures which will reduce single-occupancy vehicle trips. This commitment must be clearly explained and substantiated. It sounds like a technical way of saying that anyone in the area - or anyone contemplating a trip to the area - will think long and hard before trying to drive anywhere once this project is built. Such an approach would represent a significant and perpetual adverse

impact to the environment. This implied abdication of traffic management that will not only disrupt and burden neighborhood residents in their daily lives, but it will affect cost of service for all businesses within or servicing the neighborhood, and it will affect emergency service vehicles critical to the neighborhood.

The Civic Vision master plan calls for extension of a bike path from the train station. Instead, the proponent proposes bike racks. Secure indoor bicycle storage is needed, or bike racks will not be utilized, and will simply be trash racks and pedestrian obstacles.

The proponent promises to comply with any traffic analysis requirements. The proponent should finance an independent survey and analysis of all impacts on the community, including parking.

20 IIA ROADWAY CHANGES: It seems counterintuitive that existing roadways need not be changed as a result of 1.3 million square feet of new construction. Traffic conditions are often quite crowded now, and pedestrian crossings can be difficult.

21 IID IMPACT ON ENERGY SERVICES: The proponent states that this project will be "similar to that of typical downtown redevelopment." This statement obscures the fact that this project will use far more energy than comparable acreage in the adjacent South End, due to its density. Availability of sufficient infrastructure should be confirmed, so that any necessary infrastructure upgrade costs will be borne by this developer, and not spread among other rate payers. Similarly, the impact on tele-communication and media providers' infrastructure should be assessed, so that neighboring residents do not end up subsidizing the cost of service to this development's large number of occupants.

21 III ENERGY-RELATED PERMITS: The proponent admits to not knowing "if any energy-related permits are required", but assures us that if they are, that process will ensure that the developer complies with all applicable regulations. The proponent must be advised that it is the proponent's responsibility to identify and comply with all applicable requirements, and not just with those emphasized by reviewing authorities.

22 IIB AIR QUALITY IMPACTS: Potential long-term impacts include: increased pollution from mobile and idling vehicles in and around the project; concentration of fumes from the highway and train station, concentration of noise from below the project; the effects of wind on pedestrians; and wind effect on concentrated fumes and noise.

The local wind direction often follows the Pike, westbound, although the regional prevailing direction stated in the report is from the northwest. Wind studies for air quality and pedestrian comfort must be based on the various actual conditions typical at the site.

If the proponent is serious about improving the pedestrian environment, provisions must be developed to ensure that wind coming from the east will be mitigated at the pedestrian level on Berkeley Street. This should include setback of the tower (as is proposed at Columbus Avenue in response to winds from the northwest), and a planted buffer along both sides of Berkeley Street.

The proposed design appears to concentrate automobile, truck and diesel locomotive fumes as well as noise from the Turnpike and train station, discharging them at the Cazenove/Saint Charles Streets neighborhood. This is particularly distressing in view of the stated prevailing wind direction from the northwest, where tall buildings and the amphitheater form of the proposed building would create an eddy in which fumes would collect and noise would be concentrated/echoed (see Figure 2-1, Ground Level Plan in Appendix A).

The proposed design appears to orient all parking garage openings in a way that concentrates fumes, noise and light pollution discharge toward the Cazenove/Saint Charles Streets neighborhood. This problem could be avoided if openings were eliminated, although a blank wall is also undesirable.

High density and lack of open space make daylight a critical concern to the Saint Charles/Cazenove Streets neighborhood abutting the project's south edge. Building mass should be located to maximize sky view from these streets, and from the back yards also.

22 IIIA STATE IMPLEMENTATION PLAN: A proper traffic study will reveal that this project would not only be subjected to mobile sources of emissions, but also to significant stationery sources during peak traffic periods. In other words, the surrounding streets can be assumed full of idling vehicles for several hours each morning and evening. Vehicles in this project's parking garage are additional to this existing pollution.

22 IIIB MICROSCALE AIR QUALITY ANALYSIS: The criteria for this study should include exhausts from traffic, the bus station, the highway, the train station, the garages (existing and proposed), restaurants and other uses, as well as the actual wind conditions at the site (not simply the prevailing regional direction).

23 CONSTRUCTION MANAGEMENT PLAN: The proponent promises "a number of strictly enforced measures". These must be carefully developed and clearly delineated, to address the following concerns (among others):

The report states that "air quality impacts from fugitive dust may be expected during the construction period." Neighboring residents feel that a plan is needed which makes every effort to avoid fugitive dust during the 3 years of construction.

In addition to dust and noise, the monitoring, control and mitigation of adverse impacts from dewatering and vibration are essential. What assurance will be provided of no short or long term water table impact in the area?

Adjacent structures must be monitored for any signs of movement due to vibration or temporary dewatering, and a response plan must be put in place.

Construction worker parking provisions must be carefully developed, monitored and enforced, to not impact very limited facilities in the adjacent community during construction.

Truck routing must be carefully planned, monitored and enforced so that no trucks are permitted in the neighborhoods.

Daily – not just periodic - cleaning of adjacent streets/sidewalks and all truck wheels leaving the site must be established, monitored and enforced.

In addition to preserving air quality for pedestrians, the project must specify safeguards for neighboring residents and businesses.

The report states that the deck may be constructed around the clock. Since this phase of construction will last a year, explicit provisions must be required to permit neighboring residents the peaceful enjoyment of their homes.

Independent review of the project's structural and geotechnical engineers' foundation methodology and monitoring program is warranted, to ensure that buildings and utilities in the vicinity of the site are not adversely affected by construction.

Use of less noisy construction techniques and equipment should be explicitly specified; not simply promised "where feasible", which would inevitably come to be interpreted as "where it doesn't cost any more".

The ENF states that "proper planning and coordination with the MTA, appropriate city agencies, and the neighborhood will enhance the successful development of the Project." An enforceable methodology for management of construction impacts must be implemented to realize the proponent's premise.

- 23 INVESTIGATE APPROPRIATE MEASURES: The proponent seems to recognize that this development will discourage visitors from driving to this community, and is presenting this as something other than an adverse impact to the neighborhood. All the investigation and all the theories in the world will not mitigate the adverse impact this huge project will place on its neighbors:

The proponent promises to investigate measures to minimize exhaust from the garage, but disregards the impact of concentrated highway and train station emissions, as well as vehicle exhaust from idled traffic around the project.

- 24 IIA SOLID WASTE STORAGE: Proposed facilities for storage of solid waste appear inadequate, and will thus create an adverse environmental impact as garbage is inevitably stored on the streets.

Off-street loading and service areas appear undersized, with inadequate space for garbage dumpsters and sorted recycling bins. This is particularly true for the retail space and especially for the grocery store. How merchandise and trash are transported to and from these spaces is unclear. The master plan calls for off-street loading and service – this criteria must be applied to the retail spaces.

- 24 IIB CONSTRUCTION RECYCLING: The proponent's commitment to "encourage the construction contractor to explore the feasibility of recycling" is a hollow promise, at best.

- 24 IIE OTHER SOLID WASTE IMPACTS: In that the PNF makes no mention of office use, it should not be cited as an example of the type of solid waste to be generated. The PNF identifies restaurant space and a grocery store, although it apparently does not provide for its waste management or recycling.

- 24 III CONSISTENCY: In addition to his present commitment to "explore" the topic, the proponent must be required to document how the "recycling programs that ensure adequate recycling infrastructure on site" will work, since the necessary space appears not to have been allotted on the floor plans.

- 25 IA HISTORICAL RESOURCES: The objective of the master plan is to knit together the historic neighborhoods, and restore the damage done to this historic residential fabric by past state-sponsored construction of the Turnpike. The site is adjacent to and between the South End and Bay Village Historic Districts. Upon completion, the proposed project will be a high rise complex in the middle of a historic residential neighborhood. This is as inappropriate, but more environmentally disruptive, than running a highway through a historic neighborhood.

Additional impact to these immediately adjacent historical resources includes the potential to destroy them completely by reducing the groundwater to a level which exposes their wood piles to air and rapid decay.

It must be noted that although this was brought to the attention of the proponent in a public forum two months ago, Figure 1-1, Locus Plan in Appendix A is very misleading. It inaccurately portrays the buildings immediately south of Parcel 17 as medium size commercial buildings. However, these streets (Cazenove and Saint Charles) contain very narrow row houses 3 and 4 stories high (including basements), many of which are single family homes. They have been rendered twice actual size in the Appendix by showing the back yards as though they were buildings. This inaccuracy occurs on various project documents, and helps explain why the proposal completely overlooks its adverse impact on this abutting neighborhood

25 II PLANS FOR PRESERVING HISTORICAL RESOURCES: The proponent is presently unwilling to involve the adjacent South End and Bay Village Historical Commissions. These groups are the most appropriate bodies to assess visual and shadow impacts, as well as other potential impacts such as those previously mentioned in these comments.

26 ATTACHMENTS: To facilitate review of this proposal, the proponent should submit additional information, such as:

- A roof plan showing the proposal in its environment
- A 3 dimensional view of the proposal in its environment
- A comprehensive comparison of the proposal to the master plan
- A map showing public and private land on each parcel
- A map of historical resources in the vicinity
- An actual mode split ratio survey for the current South End neighborhood
- Current surveys of peak period vehicular and subway traffic vs. capacity
- A comprehensive traffic impact study (throughout the neighborhood)
- A comprehensive parking impact study
- A comprehensive air quality impact study
- A comprehensive wind impact study
- A neighborhood noise impact study
- A shadow study on neighboring sidewalks and building facades
- Open sky view corridor studies
- A ground water management study
- A storm water impact assessment
- Utility infrastructure capacity studies
- A description of receiving, shipping and waste disposal procedures for each tenant
- A solid waste storage and recycling space analysis
- A comprehensive construction management plan
- A vibration monitoring and remediation plan

